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IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380	NGUYEN, MAIKHANH

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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/820,508
Filing Date: March 29, 2001
Appellant(s): DUTTA ET AL.

James O. Okarsten
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 08/11/2006 appealing from the Office action mailed

11/21/2005.

1)   Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or

be directly affected by or having a bearing on the decision in the pending appeal is

contained in the brief.

(3)   Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in

the brief is correct.

(5)   Summary of Claimed Subject Matter

The summary of invention contained in the brief is correct.

(6)   Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection is correct.

(7)   **Claims Appendix**

The copy of the appeal claims contained in the Appendix to the brief is correct.

(8)   **Evidence Relied Upon**

The following is the evidence relied upon in the rejection of claims under appeal:

-     Kiraly et al.   U.S. 6,564,186   May 13, 2003

(9)   **Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

Claims 13, 15-17, 19, 21-22, 23 and 33-34 are rejected under 35 U.S.C. 102(e) as being anticipated by **Kiraly et al.** (U.S. 6,564,186 – filed 10/2001, Continuation of application No. 09/164,897 – filed 10/1998).

<u>As to claim 13:</u>

Kiraly teaches data processing system for presenting content in a document *(e.g., presenting text-based information...retrieving information from the World Wilde Web; see the Abstract)*, the data processing system comprising:

- parsing the document for a salient feature (*e.g., text-reader software... analyzes the entire text-based data source in preparation for highlighting portions of the text based data; col. 9, lines 23-34; and item 420 in fig.4)*;

- response to locating the salient feature within the document for presenting the salient feature in a manner other than visually (*e.g., displaying text-based information to users having disabilities such as dyslexia, or for increasing the entertainment value of viewing a text document ; see Abstract / the text-reader software highlights the selected section of the text-based data ... the synthesized speech signals and the audio signals are rendered audible with the highlighting of the selected text; col.10, lines 53-67 / col.11, lines 20-25 and item 460 in fig.4)*; and

determining whether to presenting additional portions of the document (*e.g., the text-reader software automatically scrolls the text-based data to display the appropriate portions in text windows 310 and 320 as the document is being automatically read; col.6, lines 32-38* and *at step 470, the text-reader software determines whether all the words in the selected portion of the document have been read aloud. If it is determined that all the words have been read aloud, or if it is determined that a user has stopped the text-reader software, the process 400 returns. Otherwise, the text-reader software automatically selects a next section*

of the document (e.g. next word or next phrase), and the process is repeated;

col.11, lines 3-12).

As to claim 15:

Kiraly teaches the salient feature is selected from, among other things, bold-facing *(e.g.,*

bold-facing; col.7, lines 9-16).

As to claim 16:

Kiraly teaches the salient feature is presented in an audible manner *(e.g., rendering the*

speech signals audible; col. 3, lines 38-43 / col. 10, lines 52-56 /col.11, lines 44-67 and

see also figs.5A-B).

As to claim 17:

Kiraly teaches the salient feature is presented in a tactile manner *(e.g., text to be spoken;*

item 432 in fig.4).

As to claim 33:

Kiraly teaches analyzing content of document for at least one salient feature *(e.g., text-*

reader software analyze the entire text-based data source to determine its context; col.9,

lines 23-67/ item 420 in fig.4 and text-reader software analyze the entire text-based data

source to determine its context, and may then automatically determine the image or

animation sequences to be displayed; col. 10, lines 4-56); denoting the at least one salient

feature separately from the analyzed content *(col.3, lines 28-42)*; and sending the

document and the separately denoted at least one salient feature to a user requesting the

document *(col.5, line 60-col.6, lines 38)*.

As to claim 34:

Kiraly teaches denoting the at least one salient feature in a file and the at least one salient

feature in XML tags *(col.1, lines 30-47)*.

As to claim 19:

The rejection of claim 13 above is incorporated herein in full. Additionally, Kiraly

teaches a bus system *(e.g., data bus 102; Fig.1)*; a communication unit *(e.g., a*

communication device 118; Fig.1); a memory *(e.g., a volatile memory 106 and data*

storage unit 110 in fig.1); and a processing unit *(e.g., the central processor 104 in fig.1)*.

As to claim 21:

Kiraly teaches the markup language is at least one of hypertext markup language *(e.g.,*

World Wide Web; see Abstract /HTML; col. 14, lines 54-55) and resource description

framework *(col.2, lines 53-57 and col.9, lines 11-16)*.

As to claim 22:

Kiraly teaches presents the salient feature by highlighting the salient feature within the document instead of presenting the salient feature in a manner other than visually *(col. 6, lines 20-38/ col. 7, lines 10-23 and col. 10, lines 52-67).*

As to claim 23:

Refer to claim 13 above, claim 23 is the same as claim 13, except claim 23 is a computer program product claim and claim 13 is a system claim.

Claims 1-2, 4-11, 18 and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kiraly et al.**

As to claim 1:

The rejection of claim 13 above is incorporated herein in full. Additionally, claim 1 recites:

- the presented overview comprising only the collective salient features and excluding any other portions of the document; and

- presenting a particular one of the other document portions to the user only in response to a request from the user for the particular portion.

Kiraly teaches presenting a particular one of the other document portions to the user only

in response to a request from the user for the particular portion *(e.g., electronically*

enunciate only a selected portion of a document ... when a portion of a document is

selected, the text-assistance software may be activated to electronically enunciate that

particular portion of the document; col. 8, lines 15-19).

Kiraly does not specifically teach "*the presented overview comprising only the collective*

salient features and excluding any other portions of the document." Kiraly, however,

suggests "*generating synthesized speech signals representative of the highlighted word*

and rendering the synthesized speech signals audible synchronously with the displaying

of the highlighted text such that text-based information and corresponding audible

information can be perceived simultaneously by the user" (col. 2, lines 42-47; see also

col. 9, lines 23-34 and col.10, lines 52-65).

It is also noted that in col.10, lines 52-65 Kiraly shows that **only** the highlighted portion

(e.g., the word *"eagle"*) is displayed *(enunciating)* to the user *(with visual impairment)*,

all other portions of the document are excluded unless the user wants some other portions

of the document or the entire document to be displayed (read).

It would have been obvious to one of ordinary skill in the art at the time of the invention

was made to have applied Kiraly's teachings to include "*the presented overview*

comprising only the collective salient features and excluding any other portions of the

document" because it would have provided the capability for assisting user with visual

impairment in document editing and retrieving information from the World Wide Web

(Kiraly; col. 2, lines 52-54).

As to claim 2:

Kiraly teaches presenting the document to the user only after the user requests the

presentation *(e.g., automatically displays portions of the text-based data containing the*

word that is currently being read aloud; col. 6, lines 32-38/ when a portion of a

document is selected, the text-assistant software may be activated to electronically

enunciate that particular portion of the document; col. 8, lines 35-22 and col.9, lines 23-

34).

As to claim 4:

Kiraly teaches the salient feature is selected from, among other things, bold-facing *(e.g.,*

bold-facing; *col.7, lines 9-16).*

As to claim 5:

Kiraly teaches the salient feature is presented in an audible manner *(e.g., render the*

synthesized speech signals audible; col.2, lines 53-57/col. 3, lines 36-42 / col. 10, lines

52-56 / col.11, lines 44-67 and see also figs.5A-B and the associated text).

As to claim 6:

Kiraly teaches the salient feature is presented in a tactile manner *(e.g., text to be spoken; item 432 in fig. 4)*.

As to claim 7:

Kiraly teaches the document is selected from, among other things, a hypertext markup language *(e.g., Word Wide Web; see Abstract and col.2, lines 52-57)*.

As to claim 8:

Kiraly teaches the resource description file is one of a resource description format file *(col.9, lines 11-16)* or an extensible markup language schema file.

As to claims 9-10:

They include the same limitations as in claims 21-22, respectively, and are similarly rejected under the same rationale.

As to claim 11:

Kiraly teaches the salient feature is indicated within the document *(col.2, lines 30-col.3, line 43)*.

As to claim 25:

Kiraly teaches receiving a request for a document having at least one salient feature; and

determining the at least one salient feature *(col.7, lines 10-34).*

As to claim 26:

Kiraly teaches determining further comprises, among other things, means for analyzing

the document *(e.g., analyzes entire text-based data source for highlight output; item 420*

in fig.4) for, among other things, underlined text *(e.g., marking the document, such as*

underlining; col.7, lines 23-34).

As to claim 27:

It includes the same limitations as in claim 25, and is similarly rejected under the same

rationale.

(10)   Response to Arguments

Beginning on page 15 of the brief, Appellants argue the following issues, which are

accordingly addressed below:

a.   Appellants argue that *Kiraly does not disclose parsing a document for one or*

more salient features (page 15).

In response, the examiner respectfully disagrees. Kiraly teaches parsing *(e.g.,*

analyzes) a document *(e.g., the entire text-based data source)* for one or more

salient features *(e.g., highlighting portions)* of the text based data *(see col. 9, lines*

23-34; and item 420 in fig. 4).

b.   Appellants argue that the *Kiraly does not teach initially presenting only the*

overview to a user in a non-visual manner (page 16).

In response, the examiner respectfully disagrees. As discussed in the Office

Action, Kiraly's teaching *"generating synthesized speech signals representative of*

the highlighted word and rendering the synthesized speech signals audible

synchronously with the displaying of the highlighted text such that text-based

information and corresponding audible information can be perceived

simultaneously by the user. The present invention is particularly useful for

displaying text-based information to users having reading disabilities such as

dyslexia as the simultaneous reinforcement of the audio and visual information

renders the text-based data easily comprehensible. The present invention may

also be used for assisting users with visual impairments in document editing and

retrieving information from the World Wide Web"(see col. 2, lines 42-52) would

have suggested the claimed initially presenting only the overview *(e.g.,*

generating synthesized speech signals representative of the highlighted word and

rendering the synthesized speech signals audible synchronously with the

displaying of the highlighted text) to a user in a non-visual manner (e.g., *users*

with visual impairments).

c. Appellants argue that the *Kiraly does not teach parsing a document for one or*

more salient features that collectively provide an overview of the document (page

16).

In response, as discussed in (a) and (b) above, Kiraly does meet the claim

limitations.

d. Applicant argues that *Kiraly does not teach initially presenting an overview of a*

document to a user that comprises only the collective salient features of the

document, and excludes any other document portion (page 18).

In response, the examiner respectfully disagrees. As discussed in the Office

Action, Kiraly's teaching *"generating synthesized speech signals representative of*

the highlighted word and rendering the synthesized speech signals audible

synchronously with the displaying of the highlighted text such that text-based

information and corresponding audible information can be perceived

simultaneously by the user. The present invention is particularly useful for

displaying text-based information to users having reading disabilities such as

dyslexia as the simultaneous reinforcement of the audio and visual information renders the text-based data easily comprehensible. The present invention may also be used for assisting users with visual impairments in document editing and retrieving information from the World Wide Web" (see col. 2, lines 42-52) would have suggested the claimed limitations since Kiraly only displays the highlighted text (using synthesized speech signals), not all the information presenting in the web page.

It is also noted that in col.10, lines 52-65 Kiraly shows that **only** the highlighted portion (e.g., the word *"eagle"*) is displayed *(enunciating)* to the user *(with visual impairment),* all other portions of the document are excluded unless the user wants some other portions of the document or the entire document to be displayed (read).

It is submitted that Appellant's claim 1 does not define the scope of a "salient feature(s)", therefore, Kiraly's teaching that a highlighted portion (salient feature) can be word/phrase (i.e. of a poem) can reasonably fall within said scope. Since poems vary widely in layout and make up, it is within reason that **only** the highlighted phrase can be displayed, with the rest of the poem remaining hidden until needed.

e.   Appellants argues that *Kiraly reference fails to providing a user with an overview*
of document such as a web page, in a non-visual manner, and then furnish other
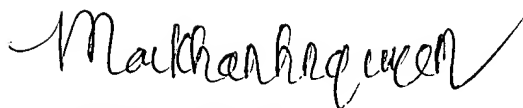*portions of the document only if the user requests such other portions* (page 20).

As discussed in the Office Action, Kiraly's teaching *"generating synthesized*
speech signals representative of the highlighted word and rendering the
synthesized speech signals audible synchronously with the displaying of the
highlighted text such that text-based information and corresponding audible
information can be perceived simultaneously by the user. The present invention is
particularly useful for displaying text-based information to users having reading
disabilities such as dyslexia as the simultaneous reinforcement of the audio and
visual information renders the text-based data easily comprehensible. The present
invention may also be used for assisting users with visual impairments in
document editing and retrieving information from the World Wide Web" (see col.
2, lines 42-52) would have suggested the claimed providing a user with an
overview *(e.g., generating synthesized speech signals representative of the*
highlighted word and rendering the synthesized speech signals audible
synchronously with the displaying of the highlighted text) of document such as a
web page *(e.g., information from the World Wide Web)*, in a non-visual manner
(e.g., reinforcement of the audio and visual information renders... for assisting
users with visual impairments). Also, Kiraly meets the claimed then furnish other

portions of the document only if the user requests such other portions *(e.g., the text-reader software automatically scrolls the text-based data to display the appropriate portions in text windows 310 and 320 as the document is being automatically read; col.6, lines 32-38* and *at step 470, the text-reader software determines whether all the words in the selected portion of the document have been read aloud. If it is determined that all the words have been read aloud, or if it is determined that a user has stopped the text-reader software, the process 400 returns. Otherwise, the text-reader software automatically selects a next section of the document (e.g. next word or next phrase), and the process is repeated; col.11, lines 3-12).*
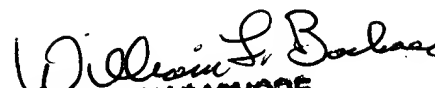
For the above reasons, it is believes that the rejections should be sustained.

Respectfully submitted,

Maikhanh Nguyen
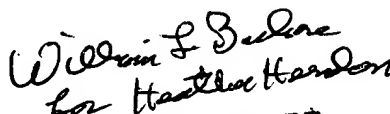
Maikhanh Nguyen

October 26, 2006

William F. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER

Conferees:

Heather Herndon

William F. Bashore
for Heather Herndon
WILLIAM BASHORE
PRIMARY EXAMINER

Stephen Hong
STEPHEN HONG
SUPERVISORY PATENT EXAMINER

YEE & ASSOCIATES, P.C.
PO BOX 802333
Dallas, TX 75380